

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15225

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated \_\_\_\_\_, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Ben Van Dusen  
3323 Quesada Street, N.W.  
Washington, D.C. 20015

Al Hunt & Judy Woodruff  
3501 - 36th Street, N.W.  
Washington, D.C. 20016

Pat Wamsley, Chairperson  
Advisory Neighborhood Commission 3-C  
2737 Devonshire Place, N.W.  
Washington, D. C. 20008

A handwritten signature in dark ink, appearing to read "E. Curry", is written over a horizontal line. The signature is stylized and fluid.

EDWARD I. CURRY  
Executive Director

DATE: \_\_\_\_\_

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15226 of Cherfein Joint Venture, pursuant to 11 DCMR 3108.1, for a special exception under Section 2116.5 to locate open parking spaces elsewhere (Lot 21) than on the same lot upon which the building is located (Lot 23) for an automobile body repair shop, first floor, in a C-M-2 District at premises 912 1st Street, S.E., (Square 738, Lot 21 and 23).

HEARING DATE: February 14, 1990  
DECISION DATE: February 14, 1990 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to ANC 2D and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 2D. ANC 2D, which is automatically a party to the application, by letter dated February 14, 1990, submitted written issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 2116.5. No person or entity appeared at the hearing or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED, SUBJECT to the CONDITION that approval shall be for a period of THREE YEARS.

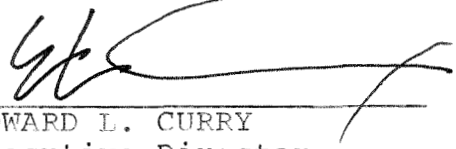
Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions

of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 4-0 (Maybelle Taylor Bennett, Paula L. Jewell, William F. McIntosh and Charles R. Norris to grant; Carrie L. Thornhill not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: Dec 5 1980

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15226order/BHS16

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15226

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Talmadge William  
4664 South 4th Street  
Arlington, VA 22204

Cherfein Joint Venture  
57 L Street, S.E.  
Washington, D.C. 20003

Gottlied Simon, Chairperson  
Advisory Neighborhood Commission 2D  
400 Eye Street, S.W.  
Washington, D. C. 20024

  
EDWARD I. CURRY  
Executive Director

DATE: \_\_\_\_\_